

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MELODY G. WILSON,

Plaintiff,

v.

D & A SERVICES, LLC d/b/a DYNIA &
ASSOCIATES,

Defendant.

Case No.: **1:18-cv-08532**

Honorable Ruben Castillo

JOINT INITIAL STATUS REPORT

Pursuant to Fed. R. Civ. P. 26(f) and this Court's Case Management Procedures, the Parties submit the following Joint Initial Status Report.

1. The Nature of the Case

a. Basis for jurisdiction, nature of the claims and counterclaims.

This is an action brought by a consumer seeking redress for alleged violation(s) of the Fair Debt Collection practices Act (“FDCPA”), 15 U.S.C. §1692 *et seq.* Subject matter jurisdiction exists over the FDCPA claims under 28 U.S.C. §§ 1331 and 1337.

b. Relief sought by Plaintiff, including computation of claimed damages, if available.

Plaintiff seeks statutory damages of up to \$1,000.00 under the FDCPA, 15 U.S.C. §1692k(a)(2)(A). Plaintiff seeks actual damages under the FDCPA, 15 U.S.C. §1692k(a)(3), in an amount to be determined. Finally, Plaintiff seeks payment of

her reasonable costs and attorney fees under the FDCPA, 15 U.S.C. §1692k(a)(3), in an amount to be determined.

c. Names of any parties that have not been served. None

d. Major legal issues.

Did Defendants engage in deceptive conduct as defined by the FDCPA in its interactions and communications with Plaintiff?

e. Major factual issues.

Did the parties enter into an agreement? Were the terms of that agreement honored by Defendant? What statements and representations were made by Defendant? Did Plaintiff suffer damages?

f. Citations to key authorities which will assist the Court in understanding and ruling on the issues. None at this time.

2. Preparation of Draft Scheduling Order

a. The Parties anticipate both oral and written discovery.

b. This matter is subject to the Mandatory Initial Discovery Plan (“MIDP”). As such, the Parties will comply with those procedures and have each tendered their MIDP responses.

c. The Parties do not anticipate the need for expert discovery at this time. The Parties request a status conference near the close of fact discovery to advise the Court if they believe expert discovery is needed.

d. The Parties are to complete fact discovery by July 28, 2019.

e. The Parties are to file dispositive motions by September 17, 2019.

3. Trial Status

- a. Whether or not a jury has been requested.** Plaintiff has demanded a trial by jury.
- b. Probable length of the trial.** The Parties believe a trial by jury will last no more than two days.

4. Consent to Proceed Before a Magistrate Judge

- a. Whether or not the parties will consent to proceed before a Magistrate Judge for all proceedings including trial.** The Parties do not agree to proceed before the Magistrate Judge for all proceedings.

5. Settlement Status

- a. Whether or not settlement discussions have been held and the status of those discussions, if any.** Plaintiff has tendered a settlement demand to Defendant, and Defendant is considering an appropriate response.

Dated: February 26, 2019

Respectfully Submitted,

s/ Nathan C. Volheim
Nathan C. Volheim
SULAIMAN LAW GROUP, LTD.
2500 South Highland Avenue, Suite 200
Lombard, Illinois 60148
Tel: 630-568-3056
Email: nvolheim@sulaimanlaw.com

*Counsel for Plaintiff,
Melody Wilson*

Respectfully Submitted,

s/ Andrew E. Cunningham
Andrew E. Cunningham, Esq.
SESSIONS, FISHMAN, NATHAN & ISRAEL, LLC
141 W. Jackson Blvd., Suite 3550
Chicago, IL 60604
Tel: 312-578-0990
Email: acunningham@sessions.legal

*Counsel for Defendant,
D&A Services, LLC d/b/a Dynia & Associates*